

Editorial Notes

REFERENCES IN TEXT

The Final Act of the Conference on Security and Cooperation in Europe, referred to in text, means part four of the Helsinki Declaration which deals with follow-up to the Conference and possible steps to encourage compliance with its purposes and undertakings. The Declaration was signed on August 1, 1975 by the nine members of the European Economic Community and the 35 participants to the Conference included all the European States, both Communist (except Albania) and non-Communist, the United States, Canada, and several non-participating Mediterranean states. The Conference on Security and Cooperation in Europe is now called the Organization for Security and Cooperation in Europe.

AMENDMENTS

1985—Pub. L. 99-7 inserted “human rights and” after “relating to”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1985 AMENDMENT

Pub. L. 99-7, §6, Mar. 27, 1985, 99 Stat. 20, provided that:

“(a) Except as provided in subsection (b), this Act and the amendments made by this Act [amending this section and sections 3003, 3007, and 3008 of this title and enacting provisions set out as a note under section 3003 of this title] shall take effect on the date of enactment of this Act [Mar. 27, 1985] or April 15, 1985, whichever is later.

“(b)(1) The amendment made by subsection (b) of the first section [amending section 3003 of this title] shall take effect on the first day of the One Hundredth Congress [which convenes in January 1987].

“(2) Subsection (d) of section 8 of the Act entitled ‘An Act to establish a Commission on Security and Cooperation in Europe’, approved June 3, 1976 (as added by section 5 of this Act) [section 3008(d) of this title], shall be effective as of June 3, 1976.”

Executive Documents

CHANGE OF NAME

The Conference on Security and Cooperation in Europe to be called the Organization for Security and Cooperation in Europe effective Jan. 1, 1995, pursuant to Ex. Ord. No. 13029, Dec. 3, 1996, 61 F.R. 64591.

§ 3003. Commission membership**(a) Selection and appointment of members**

The Commission shall be composed of twenty-one members as follows:

(1) Nine Members of the House of Representatives appointed by the Speaker of the House of Representatives. Five Members shall be selected from the majority party and four Members shall be selected, after consultation with the minority leader of the House, from the minority party.

(2) Nine Members of the Senate appointed by the President of the Senate. Five Members shall be selected from the majority party of the Senate, after consultation with the majority leader, and four Members shall be selected, after consultation with the minority leader of the Senate, from the minority party.

(3) One member of the Department of State appointed by the President of the United States.

(4) One member of the Department of Defense appointed by the President of the United States.

(5) One member of the Department of Commerce appointed by the President of the United States.

(b) Commission Chairman and Cochairman

There shall be a Chairman and a Cochairman of the Commission.

(c) Designation of Chairman

At the beginning of each odd-numbered Congress, the President of the Senate, on the recommendation of the majority leader, shall designate one of the Senate Members as Chairman of the Commission. At the beginning of each even-numbered Congress, the Speaker of the House of Representatives shall designate one of the House Members as Chairman of the Commission.

(d) Designation of Cochairman

At the beginning of each odd-numbered Congress, the Speaker of the House of Representatives shall designate one of the House Members as Cochairman of the Commission. At the beginning of each even-numbered Congress, the President of the Senate, on the recommendation of the majority leader, shall designate one of the Senate Members as Cochairman of the Commission.

(Pub. L. 94-304, §3, June 3, 1976, 90 Stat. 661; Pub. L. 99-7, §1(a), (b), Mar. 27, 1985, 99 Stat. 18.)

Editorial Notes

AMENDMENTS

1985—Subsecs. (a), (b). Pub. L. 99-7, §1(a), in amending section generally, designated existing provisions as subsec. (a) and added subsec. (b). Prior to amendment, section read as follows: “The Commission shall be composed of fifteen members as follows:

“(1) Six Members of the House of Representatives appointed by the Speaker of the House of Representatives. Four members shall be selected from the majority party and two shall be selected, after consultation with the minority leader of the House, from the minority party. The Speaker shall designate one of the House Members as chairman.

“(2) Six Members of the Senate appointed by the President of the Senate. Four members shall be selected from the majority party and two shall be selected after consultation with the minority leader of the Senate, from the minority party.

“(3) One member of the Department of State appointed by the President of the United States.

“(4) One member of the Defense Department appointed by the President of the United States.

“(5) One member of the Commerce Department appointed by the President of the United States.”

Subsecs. (c), (d). Pub. L. 99-7, §1(b), added subsecs. (c) and (d).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by section 1(a) of Pub. L. 99-7 effective Apr. 15, 1985, see section 6(a) of Pub. L. 99-7, set out as a note under section 3002 of this title.

Amendment by section 1(b) of Pub. L. 99-7 effective on first day of 100th Congress (which convenes in January 1987), see section 6(b)(1) of Pub. L. 99-7, set out as a note under section 3002 of this title.

DESIGNATION OF CHAIRMAN AND COCHAIRMAN FOR DURATION OF 99TH CONGRESS

Pub. L. 99-7, §1(c), Mar. 27, 1985, 99 Stat. 19, provided that: “On the effective date of this subsection [Apr. 15,

1985], the President of the Senate, on the recommendation of the majority leader, shall designate one of the Senate Members to serve as Chairman of the Commission for the duration of the Ninety-ninth Congress, and the Speaker of the House of Representatives shall designate one of the House Members to serve as Cochairman of the Commission for the duration of the Ninety-ninth Congress.”

§ 3004. Testimony of witnesses, production of evidence; issuance of subpoena; administration of oaths

In carrying out this chapter, the Commission may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the Chairman of the Commission or any member designated by him, and may be served by any person designated by the Chairman or such member. The Chairman of the Commission, or any member designated by him, may administer oaths to any witness.

(Pub. L. 94-304, § 4, June 3, 1976, 90 Stat. 661.)

§ 3005. Report relating to Commission on Security and Cooperation in Europe

In order to assist the Commission in carrying out its duties, the Secretary of State shall submit to the Commission an annual report discussing the overall United States policy objectives that are advanced through meetings of decision-making bodies of the Organization for Security and Cooperation in Europe (OSCE), the OSCE implementation review process, and other activities of the OSCE. The report shall also include a summary of specific United States policy objectives with respect to participating states where there is particular concern relating to the implementation of OSCE commitments or where an OSCE presence exists. Such summary shall address the role played by OSCE institutions, mechanisms, or field activities in achieving United States policy objectives. Each annual report shall cover the period from January 1 to December 31, shall be submitted not more than 90 days after the end of the reporting period, and shall be posted on the Internet website of the Department of State.

(Pub. L. 94-304, § 5, June 3, 1976, 90 Stat. 661; Pub. L. 102-138, title I, § 171, Oct. 28, 1991, 105 Stat. 679; Pub. L. 107-228, div. A, title II, § 226, Sept. 30, 2002, 116 Stat. 1369.)

Editorial Notes

AMENDMENTS

2002—Pub. L. 107-228 amended section generally. Prior to amendment, section read as follows: “In order to assist the Commission in carrying out its duties, the President shall submit to the Commission an annual report., which shall include (1) a detailed survey of actions by the signatories of the Final Act reflecting compliance with or violation of the provisions of the Final Act, and (2) a listing and description of present or planned programs and activities of the appropriate agencies of the executive branch and private organizations aimed at taking advantage of the provisions of the Final Act to expand East-West economic cooperation and to promote a greater interchange of people and ideas between East and West.”

1991—Pub. L. 102-138, § 171(2), which directed the striking out of “the first one to be submitted six months after June 3, 1976” after “report”, was executed by striking that language after “report,” to reflect the probable intent of Congress.

Pub. L. 102-138, § 171(1), substituted “an annual report” for “a semiannual report”.

Executive Documents

DELEGATION OF FUNCTIONS

Memorandum of President of the United States, Feb. 10, 1992, 57 F.R. 5367, provided:

Memorandum for the Honorable James A. Baker, III, the Secretary of State

By virtue of the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate to you the functions vested in me by section 5 of Public Law 94-304 (22 U.S.C. 3005). The authority delegated by this memorandum may be further delegated within the Department of State.

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE BUSH.

§ 3006. Commission report to Congress; periodic reports; expenditure of appropriations

The Commission is authorized and directed to report to the House of Representatives and the Senate with respect to the matters covered by this chapter on a periodic basis and to provide information to Members of the House and Senate as requested. For each fiscal year for which an appropriation is made the Commission shall submit to Congress a report on its expenditures under such appropriation.

(Pub. L. 94-304, § 6, June 3, 1976, 90 Stat. 662.)

Statutory Notes and Related Subsidiaries

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which a report required under this section is listed on page 157), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

§ 3007. Appropriations for Commission

(a) Authorization; disbursements

(1) There are authorized to be appropriated to the Commission for each fiscal year such sums as may be necessary to enable it to carry out its duties and functions. Appropriations to the Commission are authorized to remain available until expended.

(2) Appropriations to the Commission shall be disbursed on vouchers approved—

(A) jointly by the Chairman and the Co-chairman, or

(B) by a majority of the members of the personnel and administration committee established pursuant to section 3008(a) of this title.

(b) Use of foreign currencies

For purposes of section 1754(b) of this title, the Commission shall be deemed to be a standing committee of the Congress and shall be entitled to use funds in accordance with such sections.

(c) Official reception and representational expenses

Not to exceed \$6,000 of the funds appropriated to the Commission for each fiscal year may be